

Message Text

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PAGE 01 USUN N 00531 112225Z

14

ACTION IO-11

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FM USMISSION USUN NEWYORK

TO SECSTATE WASHDC 5818

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

CINCPACREP GUAM UNN

C O N F I D E N T I A L USUN 0531

DEPT PASS INTERIOR FOR DOTA/OMSN

CINCPACREP FOR HICOM AND STATUS LNO

E.O. 11652: GDS

TAGS: UN, TC, TTPI

SUBJ: TRUST TERRITORY OF THE PACIFIC: UNGA PRELIMINARY LIST

1. MISOFF CALLED ON LEGAL COUNSEL SUY 10 FEBRUARY TO URGE THAT A TRUSTEESHIP COUNCIL REPORT ITEM NOT BE INCLUDED ON THE SECRETARIAT'S MID-FEBRUARY LIST OF PRELIMINARY ITEMS FOR THE 31ST GENERAL ASSEMBLY. ALTHOUGH MORE SOPHISTICATED IN HIS APPROACH THAN HIS DEPUTY SLOAN HAD BEEN (SEPTTEL), SUY FELT THAT PROPER ATTENTION TO GA RULE 15 REQUIRES THE SECRETARIAT TO INCLUDE THE ITEM. HE UNDERSTOOD OUR CONTRARY VIEW BUT BELIEVED THAT A PRELIMINARY LISTING DID NOT RUN COUNTER TO ARTICLE 83(1) OF THE CHARTER; IT MERELY LEFT THE DOOR OPEN SO THAT IF THE TC WERE IN FACT TO DECIDE TO MAKE ANY REPORT AT ALL TO THE GA, THE PRELIMINARY LIST WOULD HAVE ACCOMMODATED IT. HE WOULD DISCUSS THE MATTER WITH UNDER SYG'S BUFFUM AND TANG; HE WOULD NOT FLATLY STATE A LEGAL REQUIREMENT BUT WOULD OFFER ADVICE AS TO THE OPTIMUM COURSE OF ACTION.

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PAGE 02 USUN N 00531 112225Z

2. ONE IMPORTANT OFFER SUY MADE WAS THAT IF THE TC MADE NO REPORT TO THE GA, THEN THE SECRETARIAT WOULD NOT RPT NOT INCLUDE A TC REPORT ITEM ON THE MID-JULY PROVISIONAL LIST FOR THE 31ST GA. SPECIFICALLY, EVEN IF THERE HAD BEEN A TC REPORT ITEM ON THE MID-FEBRUARY PRELIMINARY LIST, THAT ITEM WOULD NOT BE CARRIED FORWARD ONTO THE PROVISIONAL LIST IF THE TC DECIDED TO REPORT ONLY TO THE SECURITY COUNCIL.

3. MISOFF OBSERVED THAT THE SECRETARIAT IS ASKING THE PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE, AND THROUGH HIM, THE MEMBERS OF THE COURT, WHETHER THEY WISH TO MAKE A REPORT TO THE 31ST GA; IF THE COURT SAYS NO, THE PRELIMINARY LIST WILL NOT INCLUDE A COURT REPORT ITEM. HE PURPOSELY AVOIDED DRAWING A PARALLEL TO THE TC REPORT ISSE AND STUCK TO THE PREFERRED POSITION THAT THE SECRETARIAT SHOULD NOT INCLUDE THE TC REPORT ITEM ON THE PRELIMINARY LIST. HOWEVER, THE SECRETARIAT MAY GIVE THIS POSSIBILITY FURTHER CONSIDERATION. THEY APPEAR TO BE CONCERNED WITH NON-ALIGNED AND SOVIET CRITICISM SHOULD THE ITEM BE LEFT OFF, AS THEY ARE CONCERNED WITH OUR OBJECTIONS TO ITS INCLUSION, AND THEY MAY LOOK FOR SUCH A PILLAR AS THE OUTGOING TC PRESIDENT FOR ADVICE WHICH THEY COULD UTILIZE AS AUTHORITATIVE IN THE EVENT OF PROTEST.
MOYNIHAN

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